IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY SECOND DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE S.ANANDA REDDY

-

WRIT PETITION NO : 13232 of 2005

Between:

Shaik Khaja Rahamthullah Khan S/o. Late S.K. Masthan
R/o. Chinna Padugupadu Village Opp: N.T.S. Railway Gate
Kovvur, Nellore District.

..... PETITIONER

AND

1 The Chairman & Managing Director A.P.ZENCO,
Vidyuth Soudha Hyderabad.
2 The Additional Secretary A.P. TRANSCO
Vidyut Soudha Hyderabad.
3 The General Manager (Admn) A.P. ZENCO
Vidyut Soudha Hyderabad.
4 The Superintending Engineer Nellore Thermal Station
Kovvur, Nellore District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ in the nature of Mandamus or any other appropriate writ, order or directions by calling for the records relating to the proceedings of the 2nd respondent bearing Memo.No.DS (Estt/AS(Pens)/PO-V(R-D)/II/1377/98, dt. 16-3-1999 and set aside the same by declaring it as illegal, arbitrary and unconstitutional and violative of Articles 14 and 16 of the Constitution of India and consequently direct the respondents to appoint the petitioner on compassionate grounds, by reconsidering his case as per the letter No.341/99, dt.16-12-1999 of the 4th respondent, with all consequential benefits.

Counsel for the Petitioner: MR.B.A.PRAKASH REDDY

Counsel for the Respondents: MR.SAMINENI KISHORE

The Court at the admission stage made the following:

ORDER:

This writ petition is filed by the petitioner aggrieved by the action of the respondents in rejecting his claim for appointment on compassionate grounds vide proceedings dated 16.03.1999.

According to the petitioner, his father died while he was in service and therefore the petitioner is entitled for appointment on compassionate grounds. However, the proceedings issued by the respondents show that the petitioner was aged 8 years on the date of expiry of his father in the year 1988 and therefore orders were passed in the year 1999 rejecting his case on the ground that he cannot be provided appointment on compassionate grounds as he was aged 8 years 11 months at the time of death of his father. Now after six years, the petitioner is claiming that though the fourth respondent by proceedings dated 16.12.1999 recommended his case for reconsideration, the same has not been considered so far. Hence, the present writ petition.

Heard the learned counsel for the petitioner and the learned Standing Counsel appearing for the respondents.

Prima facie, I do not find any merit as the petitioner has come up with the present writ petition after six years of rejection even though he is aware of the fact that the rejection order was passed as early as on 16.03.1999. In view of

the fact that the petitioner was a minor aged about 8 years at the time of death of his father, as per the Regulations, it was held that he was not entitled for appointment on compassionate grounds.

The writ petition is devoid of merit and the same is accordingly dismissed. No costs.

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22.06.2005

VGB

To

1 The Chairman & Managing Director, A.P.ZENCO,
Vidyuth Soudha, Hyderabad.
2 The Additional Secretary, A.P. TRANSCO,
Vidyut Soudha, Hyderabad.
3 The General Manager (Admn.), A.P. ZENCO,
Vidyut Soudha, Hyderabad.
4 The Superintending Engineer, Nellore Thermal Station,
Kovvur, Nellore District.

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